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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 STEPHEN McCLANE,

8 Plaintiff,

9 vs.

10 DEPARTMENT OF CORRECTIONS,
11 KEVIN BOVENKAMP, PETER
BECK, NURSE SMITH and JO
PHILLIPS,

12 Defendants.

NO: 4:17-CV-5062-TOR

ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING ACTION

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14 BEFORE THE COURT is Magistrate Judge Rodgers' Report and
15 Recommendation to dismiss this action. ECF No. 10. Plaintiff, a prisoner currently
16 housed at the Stafford Creek Corrections Center, is proceeding *pro se*; Defendants
17 have not been served.

18 Plaintiff was directed to comply with 28 U.S.C. § 1915(a)(2) by providing a
19 statement of his inmate account (or institutional equivalent) for the six months
20 immediately preceding the submission of his complaint. In the alternative, Plaintiff

ORDER ADOPTING REPORT AND RECOMMENDATION AND
DISMISSING ACTION ~ 1

1 was granted the opportunity to pay the \$400.00 fee (\$350.00 filing fee, plus \$50.00
2 administrative fee) to commence this action under 28 U.S.C. § 1914. Plaintiff did
3 not comply with these directives and has filed nothing further in this action.

4 There being no objections, **IT IS ORDERED** that the Report and
5 Recommendation, ECF No. 10, is **ADOPTED in its entirety** and this action is
6 **DISMISSED** without prejudice for failure to comply with the filing fee
7 requirements of 28 U.S.C. § 1914 and 1915.

8 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order,
9 enter judgment, provide copies to Plaintiff, and close the file. The Court certifies
10 any appeal of this dismissal would not be taken in good faith.

11 **DATED** December 21, 2017.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE
Chief United States District Judge